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Attorneys for Plaintiff  
ATHANASSIOS DIACAKIS

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

ATHANASSIOS DIACAKIS, individually  
and on behalf of all others similarly  
situated,

Plaintiff,

v.

COMCAST CORPORATION; and DOES  
1-10, inclusive,

Defendants.

Case No. 11-cv-3002 SBA

**STIPULATION TO CONTINUE  
DISCOVERY DEADLINES;  
~~PROPOSED~~ ORDER**

Assigned to the Hon. Sandra Brown  
Armstrong, Courtroom 1

Case filed on May 13, 2011  
Trial Date: October 7, 2013

1 WHEREAS, this case was filed as a putative class action;

2 WHEREAS, Plaintiff filed his motion for class certification on October 2, 2012;

3 WHEREAS, on May 3, 2013, this Court denied Plaintiff's motion for class certification  
4 (Dkt. 108);

5 WHEREAS, pursuant to Rule 23(f) of the Federal Rules of Civil Procedure, on May 17,  
6 2013, Plaintiff filed a petition for permission to appeal the Court's Order denying class  
7 certification, as well as a request to stay proceedings in this Court pending appeal ("Rule 23(f)  
8 Petition");

9 WHEREAS, on May 31, 2013, Defendant filed an opposition to Plaintiff's Rule 23(f)  
10 Petition;

11 WHEREAS, the Ninth Circuit has not yet ruled on Plaintiff's Rule 23(f) Petition;

12 WHEREAS, the Court's Order granting the parties' Stipulation to Continue Discovery  
13 Deadlines (Dkt. 109) set modified dates and deadlines, including the following discovery  
14 deadlines which are at issue on this stipulation: a July 19, 2013 deadline for fact discovery; a July  
15 19, 2013 deadline for Plaintiff and Defendant to designate experts; a July 29, 2013 deadline for  
16 the parties to designate rebuttal experts; and a August 15, 2013 deadline for expert discovery;

17 WHEREAS, in light of Plaintiff's Rule 23(f) Petition, and in order to allow the Ninth  
18 Circuit time to rule on that Petition before the parties are required to complete all fact and expert  
19 discovery, the parties have accordingly agreed, subject to court approval, to a further brief  
20 continuance of the foregoing discovery deadlines.

21 IT IS HEREBY STIPULATED by the parties through their respective counsel as follows:

- 22 1. The deadline to complete fact discovery is continued to August 2, 2013;  
23 2. The deadline for the parties to designate experts is continued to August 2, 2013;  
24 3. The deadline for the parties to designate rebuttal experts is continued to August 12,  
25 2013;

1  
2 4. The deadline for completion of expert discovery is continued to August 29, 2013.  
3

4 Dated: June 20, 2013

DRINKER BIDDLE & REATH LLP

5  
6 By: /s/ Michael J. Stortz

7 Michael J. Stortz

8 Attorneys for Defendant  
9 COMCAST CORPORATION

10 Dated: June 20, 2013

STRANGE & CARPENTER

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12 By: /s/ Gretchen Carpenter

13 Gretchen Carpenter

14 Attorneys for Plaintiff  
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**Attestation Pursuant to Local Rule 5.1(i)**

Pursuant to Local Rule 5.1(i), I, Gretchen Carpenter, hereby attest that I have obtained concurrence in the filing of this document from the other signatory to this document.

I declare under penalty of perjury under the law of the United States of America that the foregoing is true and correct. Executed on June 20, 2013 at Los Angeles, California.

/s/ Gretchen Carpenter  
Gretchen Carpenter

**ORDER**

Based on the foregoing Stipulation of the parties, and for good cause shown, IT IS SO ORDERED

Dated: 6/24/13

Saundra B. Armstrong  
Honorable Saundra Brown Armstrong  
United States District Judge